

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

PERRY L. COLTER,

Petitioner,

v.

CIVIL ACTION NO. 1:05CV15
(Judge Stamp)

KEVIN WENDT, Warden,

Respondent.

ORDER
GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS

On January 26, 2005, the *pro se* petitioner filed an Application for Habeas Corpus Pursuant to 28 U.S.C. § 2241. On February 11, 2005, he filed an Application for Leave to Proceed *In Forma Pauperis*. The petitioner has provided the Court with a copy of his prison trust account statement which reveals that as of February 1, 2005, he had an account balance of \$3.56. The petitioner indicated in his application that he does not own any assets.

Accordingly, it is **ORDERED** that the petitioner's February 11, 2005 Application for Leave to Proceed *In Forma Pauperis* is **GRANTED**.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: June 23, 2005

/s *John S. Kaull*

JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE